

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

November 15, 2002

In re application of : Robert M. Carmichael  
Serial No. : 09/730,116  
Filed : December 5, 2000  
For : **ACTIVE CONTROL RELEASABLE BALLAST  
SYSTEM FOR USE WITH DIVE EQUIPMENT**  
Examiner : Ajay Vasudeva  
Art Unit : 3617  
Our File No. : 9297.6817

**DECLARATION OF ROBERT M. CARMICHAEL**

I, Robert M. Carmichael, the applicant in the above-identified patent application, declares as follows:

1. I am the applicant for the above-identified application.
2. I am currently President and Co-Owner of the Halcyon company referenced in the Halcyon web-site publication cited by the Examiner in the above-identified application.
3. On and before the relevant time period (August 22, 2000) I was the President, CEO and sole owner of the Halcyon company.

I declare further that all statements made herein of my own knowledge are true; that all statements made herein on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of this application and any registration resulting therefrom.

Respectfully submitted,



ROBERT M. CARMICHAEL  
Applicant

#13/c/Dec  
Lyon  
12/12/02